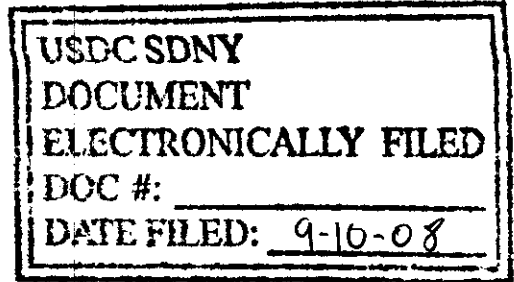




THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, N.Y. 10007

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September 8, 2008

BY FAX at (212) 805-6111
Honorable Henry B. Pitman
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Wilson v. C.O. Officer Shield #16017, et al., 07 CV 5962 (LAP)(HBP)

Dear Magistrate Judge Pitman:


I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney for defendants Assistant Deputy Warden Diaz and Comptroller William C. Thompson, Jr. in the above-referenced matter. An answer to the complaint was served upon plaintiff earlier today on behalf of defendants Diaz and Thompson. With respect to the individual identified in the caption of the complaint as "C.O. Officer Shield #16017", this office respectfully requests a 14-day enlargement of time, until September 22, 2008, within which "C.O. Officer Shield #16017" may respond to the complaint. Plaintiff's counsel, Leo Glickman, Esq., consents to this request. This is the second request for an enlargement of time on behalf of "C.O. Officer Shield #16017".

The reason for this request is that, to date, I have been unable to resolve representational issues with respect to this correction officer due to scheduling conflicts. Defendants respectfully note that, on information and belief, Correction Officer J. Reyes is currently assigned shield number 16017 and presently employed at the Rose M. Singer Center on Rikers Island. As the incident alleged in the complaint occurred at the George R. Vierno Center, it appears that Officer Reyes may have had no personal involvement in the alleged incident. Defendants further note that the document purporting to be a Notice of Claim attached to plaintiff's complaint references an "Officer Tyson" as an individual who may have been involved in the incident. On information and belief, "Officer Tyson" has not been served with a copy of the summons and complaint.

In view of the foregoing, it is respectfully requested that the Court grant the within request extending time to answer or otherwise respond to the complaint on behalf of "C.O. Officer Shield #16017" until September 22, 2008.

Thank you for your consideration in this regard.

Respectfully submitted,



Bradford C. Patrick
Assistant Corporation Counsel
Special Federal Litigation Division

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*APPLICATION DENIED.
COUNSEL CANNOT SEEK RELIEF
ON BEHALF OF PARTIES HE
DOES NOT REPRESENT*

SO ORDERED


HENRY PITMAN
UNITED STATES MAGISTRATE JUDGE

9-9-08